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7/24

THE CITY OF SAN DIEGO

DATE ISSUED: July 3, 2007

REPORT NO.: RTC-07-22  
RTC-07-098

ATTENTION: Honorable Chair and Members of the Redevelopment Agency  
Council President and City Council  
Docket of July 10, 2007

SUBJECT: Owner Participation Agreement, Barrio Logan Redevelopment Plan  
Amendment and Associated Actions for Los Vientos Family Apartments  
Project

REQUESTED ACTION:

- 1) That the Redevelopment Agency and City Council certify environmental review for the proposed actions; and
- 2) That the Agency approve the Basic Concept Drawings; and
- 3) That the City Council recommend Agency approval and the Agency approve authorizing execution of the Owner Participation Agreement with AMCAL Los Vientos Fund, LP for the Los Vientos Family Apartments Project; and
- 4) That the City Council and Agency approve Findings of Benefit for the use of 20% Low and Moderate Income Housing Set-Aside Funds outside source project areas including City Heights, North Park, and North Bay; and
- 5) That the City Council and Agency approve the proposed Barrio Logan Redevelopment Plan Amendment;
- 6) That the Agency authorize the expenditure of \$8,298,000 from the Agency's 20% Low and Moderate Income Housing Set-Aside Funds as a residual receipts loan contribution to the project.

STAFF RECOMMENDATION TO THE REDEVELOPMENT AGENCY:

- 1) State for the record that the final Mitigated Negative Declaration (No. 103439) has been reviewed and considered prior to approving the project; and
- 2) Approve the Basic Concept Drawings; and
- 3) Authorize the Executive Director or designee to execute an Owner Participation Agreement with AMCAL Los Vientos Fund, LP for the Los Vientos Family Apartments Project, contingent upon the Office of the Auditor and Comptroller first certifying availability of funds; and
- 4) Approve Findings of Benefit for the use of 20% Low and Moderate Income Housing Set-Aside Funds outside source project areas including City Heights, North Park, and North Bay; and
- 5) Approve the proposed Barrio Logan Redevelopment Plan Amendment; and
- 6) Authorize the expenditure of funds for the Los Vientos Family Apartments Project in an amount not to exceed \$8,298,000 ~~Redevelopment Agency~~ Low and Moderate Income

1200 Third Avenue, Suite 1400, MS 56D • San Diego, CA 92101-4110

Tel (619) 236-6700 Fax (619) 533-3219

City Planning & Community Investment



DIVERSITY  
PROGRESS THROUGH DIFFERENCE

Housing Set-Aside Funds as a Redevelopment Agency residual receipts loan contribution to the project from the following direct sources: 1) \$1,298,000 from City Heights Housing Line of Credit; 2) \$3,500,000 from North Park Housing Line of Credit; and 3) \$3,500,000 from North Bay Housing Line of Credit.

STAFF RECOMMENDATION TO THE CITY COUNCIL:

- 1) State for the record that the Council has previously reviewed and considered information contained in the final Mitigated Negative Declaration (No. 103439) as it pertains to the project; and
- 2) Approve Findings of Benefit for the use of 20% Low and Moderate Income Housing Set-Aside Funds outside source project areas including City Heights, North Park, and North Bay; and
- 3) Approve the proposed Barrio Logan Redevelopment Plan Amendment; and
- 4) Recommend to the Redevelopment Agency to enter into an Owner Participation Agreement for the Los Vientos Family Apartments Project.

SUMMARY:

The Barrio Logan Redevelopment Plan (the Plan) was adopted in 1991. The Plan states as one of its primary goals, "To create a balanced mix of new housing stock, including low- and moderate-income housing." The provision of new, high quality affordable housing opportunities has been identified as a top priority by the Barrio Logan Project Area Committee (PAC) and other organizations in the Barrio Logan community.

AMCAL Multi-Housing, Inc., dba AMCAL Los Vientos Fund, L.P. (the Developer), has submitted for funding assistance for the Los Vientos Family Apartments Project, a proposed 89-unit affordable housing development consisting of new rental apartments for very low to low income (30% to 60% AMI) families (the Project). The requested actions will allow for the execution of an Owner Participation Agreement (OPA) with AMCAL Los Vientos, L.P. (see Attachment 1 – Owner Participation Agreement) for the implementation of the Project. The OPA includes various conditions prior to Agency funding including, but not limited to, Developer's acquisition of other funding sources and compliance with the City's Equal Opportunity Contracting program.

The Project is proposed to be developed on two separate parcels across the street from each other, together equaling 1.04 acres (45,302 SF) and located at 1629 and 1668 National Avenue (the Project Site), within the Barrio Logan Redevelopment Project Area (see Attachment 2 – Site Map). The surrounding development includes light industrial, commercial, and residential buildings. The Project Site is predominantly vacant requiring the demolition of one small, dilapidated residential building. Furthermore, the Developer owns the Project Site and no other property acquisition is necessary for project implementation.

The Project's physical design consists of two U-shaped, four-story structures with subterranean parking. The Gross Building Area (GBA) is approximately 85,920 SF, with a total of 163 parking spaces, or 1.8 spaces per unit. The building located at 1668 National Avenue will provide 26 two-bedroom and 20 three-bedroom units – a total of 46 units—and two levels of subterranean parking. On site amenities include: a community room with offices, a kitchen, computer room; tot lots/play areas at grade as part of the courtyard; the courtyard also provides outdoor seating, BBQ, and planters.

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The building located at 1629 National Avenue will provide 24 two-bedroom, 15 three-bedroom and 4 four-bedroom units – a total of 43 units—and one level of subterranean parking. On site amenities include: laundry facility; tot lots/play areas at grade as part of the courtyard; the courtyard also provides outdoor seating, BBQ, and planters. For graphic information for both buildings, please see Attachment 3 – Site Plans and Attachment 4 – Basic Concept Drawings. Universal Design shall be implemented in the overall design of the Project.

Total project costs are \$32,545,000. The Developer seeks a public subsidy from the Redevelopment Agency of the City of San Diego (the Agency) for \$8,298,000. The Developer plans to submit an application to the State's Tax Credit Allocation Committee (TCAC) for 2<sup>nd</sup> Round (July) 2007 tax credits. The following subsections describe the Project in more detail.

#### Development Team

Role	Firm/Contact	Ownership
Managing General Partner	Las Palmas Foundation Contact: Joseph Michaels	Non profit Board of Directors – 501(C) 3 Corporation
Administrative General Partner	AMCAL Multi-Housing Inc. Contact: Arjun Nagarkatti	Percival Vaz (privately owned)
Limited Partner/ Tax Credit Equity Investor	Hudson Housing Capital Contact: Sam Ganeshan	John Zeiler, Joe Macari, Sam Ganeshan (privately owned)
Architect	Austin Veum Robbins Partners Contact: Tom Anglewicz	Doug Austin, Chris Veum, Randy Robbins, Deen Austin (privately owned)
Consultant	Law Offices of Bocarsly, Cowan, Esmail & Arndt, LLP Contact: Nicole Deddens	Kyle Arndt, Lance Bocarsly, Craig Emden, Eugene Cowan, Aaftab Esmail, Paulette Parker (privately owned)
Property Management	John Stewart Company Contact: Lori Horn	Jack D. Gardner, President; John K. Stewart, CEO & Chairman (privately owned)

#### Residential Project Summary

Project Summary	
Type of Housing	Multifamily Apartments - Rental
Land Area	1.04 Acres (45,500 SF)
Gross Building Area (GBA)	85,920 SF (excluding parking)
Total Number of Units	89 (Includes one 3-BR Manager's Unit)
Project Density	85 units/acre (with 17% density bonus)
Number of Affordable Units/Bedrooms	50 2-bedroom

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	34 3-bedroom 4 4-bedroom 88 Units / 218 Bedrooms
Income Restrictions	9 @ 30% AMI 9 @ 40% AMI 44 @ 50% AMI 26 @ 60% AMI 88 @ 30% to 60% AMI
Site Control	Developer owns all necessary parcels
Relocation Issues	N/A
Number of Demolished Dwelling Units	One dilapidated single family structure
Affordability of Demolished Units	N/A

#### Affordable Unit Summary for 88 Income-Restricted Units

Number of Bedrooms	Residential Income Level	Number of Units	Monthly Rent Level
2 Bedrooms	30% AMI	3	\$450
2 Bedrooms	40% AMI	9	\$606
2 Bedrooms	50% AMI	37	\$762
2 Bedrooms	60% AMI	1	\$919
<b>Total/Average</b>	<b>47% AMI</b>	<b>50</b>	<b>\$718</b>
3 Bedrooms	30% AMI	3	\$521
3 Bedrooms	50% AMI	7	\$882
3 Bedrooms	60% AMI	24	\$1,062
<b>Total/Average</b>	<b>55% AMI</b>	<b>34</b>	<b>\$813</b>
4 Bedrooms	30% AMI	3	\$576
4 Bedrooms	60% AMI	1	\$1,180
<b>Total/Average</b>	<b>38% AMI</b>	<b>4</b>	<b>\$727</b>

#### Entitlements

The Developer submitted a Community Plan Amendment (CPA) and Rezone application with the City of San Diego (the City) to allow for higher density multi-family housing development on land that was formerly designated for Light Industry/Commercial uses. The City's Planning Commission and City Council unanimously approved the proposed CPA and Rezone. There was no opposition to the Project at the Planning Commission and City Council hearings. Furthermore, the California Coastal Commission reviewed and approved the Project on June 14, 2007. The following is a timeline of previous approvals for the Project's CPA, Rezone and entitlements including CEQA certification:

December 15, 2005: Planning Commission approved the initiation of a CPA/Rezone.  
 March 1, 2007: Planning Commission approved the CPA/Rezone and entitlements.  
 March 26, 2007: City Council approved the CPA/Rezone and entitlements.  
 June 14, 2007: Coastal Commission approved the Project.

Barrio Logan Redevelopment Plan Amendment

It is proposed that the Barrio Logan Redevelopment Plan (the Plan) be amended to reflect the recent Barrio Logan Community Plan Amendment approved for the Project by the City Council. The Plan must be consistent with the Community Plan, in accordance with California Community Redevelopment Law (CCRL). The proposed amendment (see Attachment 5 – Proposed Barrio Logan Redevelopment Plan Amendment) will allow for the following: 1) Revision of the Plan's Exhibit 2 – Generalized Land Use Map to reflect the new general land use map under the Barrio Logan Community Plan and 2) Automatic amendments to the Plan to reflect any future Barrio Logan Community Plan Amendments approved by the City Council. The proposed Plan amendment has been publicly noticed per CCRL requirements and has received a recommendation for approval from the Barrio Logan PAC.

Property Acquisition/ Site Control

The Developer owns the necessary property for implementation of the Project. The Developer acquired the property in March 2006. There are no relocation issues related to the Project.

Proposed Project Schedule

Action	Timeline
Entitlements/CEQA	June 2007
Agency OPA Approval	June 2007
TCAC Application <sup>1</sup>	July 2007
Construction Start	Feb 2008
Construction Completion	July 2009
(1) If July 2007 TCAC application unsuccessful, two additional application rounds to be permitted under the OPA, and timeline would change accordingly.	

FISCAL CONSIDERATIONS:

Total project costs are \$32,545,000 (see Attachment 6 – Project Budget). It is proposed that the Project be financed with a combination of affordable housing tax credits, private financing, and Agency financing.

The Project will seek 9% Affordable Housing Tax Credits from the California Tax Credit Allocation Committee (TCAC) during the next application cycle, with an application deadline of July 12, 2007. In order to meet the competitive eligibility requirements for TCAC financing, a project must demonstrate site control, or an approved OPA/DDA, evidence of full funding, and approval of entitlements. The Project meets TCAC's competitive eligibility requirements.

Private financing is proposed to be in the form of a construction loan and permanent loan. After the OPA hearing, other public financing shall be sought for the Project including Federal Home

Loan Bank Affordable Housing Program (AHP) funds. In addition, the Developer has agreed to a Deferred Developer Fee of \$280,000, representing 20% of the total Developer Fee.

The proposed Agency financing for the Project is an amount not to exceed \$8,298,000 and would be in the form of a long-term (55-year) residual receipts loan to cover direct costs. This amount represents a maximum subsidy of \$93,000 per unit or \$38,000 per bedroom. If AHP funds are acquired by the Developer, or other cost savings are realized for the Project, the OPA is written to ensure the Agency's subsidy be reduced by those amounts received from other sources and/or cost savings. It is proposed that Agency funding be paid from the Agency's 20% Low and Moderate Income Housing Set-Aside Funds Line of Credit, scheduled to be secured in June 2007, and specifically from the following project area sources: 1) \$1,298,000 from City Heights; 2) \$3,500,000 from North Park; and 3) \$3,500,000 from North Bay. The draw-down of Agency funds will initiated after the Developer successfully secures Tax Credits and construction financing and is proposed as follows:

First Disbursement: \$5,808,600 disbursed at Close, following acquisition of Tax Credits and Construction Loan.  
 Second Disbursement: \$1,244,700 at 50% completion of construction.  
 Third Disbursement: \$622,350 at Notice of Completion.  
 Final Disbursement: \$622,350 Remaining funds (Retention) Project Completion and Acceptance

The Project's pro forma has been analyzed by Agency staff and Keyser Marston Associates. Estimated costs, financing assumptions, and deal terms have been negotiated and are proposed in the OPA in accordance with the Agency's Affordable Housing Collaborative Program financing guidelines.

#### Findings of Benefit

The proposed source for the Agency's funding contribution to the Project is the Agency's 20% Low and Moderate Income Housing Set-Aside Funds Line of Credit, specifically from the following project areas: 1) City Heights; 2) North Park; and 3) North Bay. Under CCRL, the governing body must make findings of benefit for the use of tax increment outside a project area. Please see Attachment 7- Findings of Benefit for the proposed findings.

#### ENVIRONMENTAL IMPACTS:

There are no significant environmental impacts associated with the Project. The City Council has previously reviewed and certified the information contained in the final Mitigated Negative Declaration (No. 103439, adopted March 26, 2007) as it pertains to the Project (see Attachment 8 – Mitigated Negative Declaration).

#### PREVIOUS AGENCY and/or COUNCIL ACTIONS:

On July 25, 2006, the Agency approved the pooling of the Agency's 20% Low and Moderate Income Housing Set-Aside Funds for the purpose of funding projects such as the Los Vientos Project. On March 26, 2007, the City Council approved a CPA/Rezone and entitlements.

#### OTHER RECOMMENDATIONS:

On May 24, 2007, the Agency's Affordable Housing Collaborative Executive Loan Committee (ELC) voted 4-0 in favor of the Project's concept and proposed financing structure.

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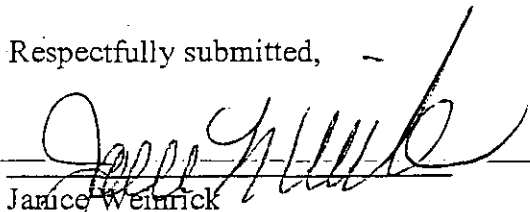
COMMUNITY PARTICIPATION & PUBLIC OUTREACH EFFORTS:

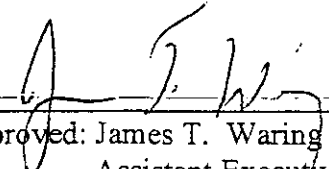
On October 19, 2005, January 29, 2007, and May 30, 2007, the Project was presented to the Barrio Logan PAC, at which times the PAC voted in support of the Project's concept, OPA and Barrio Logan Redevelopment Plan Amendment.

ALTERNATIVE:

Do not approve the proposed OPA and associated actions. This action would not enable the implementation of a valuable affordable housing project in the Barrio Logan community.

Respectfully submitted,

  
Janice Weinrick  
Deputy Executive Director  
Redevelopment Agency/  
Assistant Director  
City Planning and Community Investment

  
Approved: James T. Waring  
Assistant Executive Director  
Redevelopment Agency/  
Deputy Chief Operating Officer for  
Land Use and Economic Development

- Attachments:
1. Owner Participation Agreement
  2. Site Map
  3. Site Plan
  4. Basic Concept Drawings
  5. Proposed Barrio Logan Redevelopment Plan Amendment
  6. Project Budget
  7. Findings of Benefit
  8. Mitigated Negative Declaration

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PLEASE REFER TO THE  
REDEVELOPMENT AGENCY BINDER  
FOR THE BACK UP MATERIAL

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## **OWNER PARTICIPATION AGREEMENT**

(Los Vientos Family Apartments Project)

by and between

**REDEVELOPMENT AGENCY OF THE  
CITY OF SAN DIEGO, Agency,**

and

**AMCAL LOS VIENTOS FUND, L.P.,  
A California Limited Partnership, Owner.**



SUBJECT: Owner Participation Agreement, Barrio Logan Redevelopment Plan Amendment and Associates Actions for Los Vientos Family Apartments Project

**GENERAL CONTRACT INFORMATION**

Recommended Consultant: AMCAL Multi-Housing, Inc.

Amount of this Action: \$8,298,000

Funding Source: Federal

**SUBCONSULTANT PARTICIPATION**

No subconsultant participation for this action.

**EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE**

Equal Opportunity: Required

AMCAL Multi-Housing, Inc. submitted a Work Force Report for their San Diego employees dated June 12, 2007 with a total of 66 employees. The firm's Work Force Analysis reflects under representations in the following categories:

- Blacks in Administrative Support
- Hispanics in Administrative Support and Crafts
- Asians in Management & Financial, Administrative Support and Crafts
- Filipinos in Management & Financial, Administrative Support and Crafts
- Females in Management & Financial, Professional and Crafts

Staff has requested consultant to submit an EO Plan which describes equal employment policies and practices including reasonable goals and timetables that are expected to remedy the identified under representations.

**ADDITIONAL COMMENTS**

The *Work Force Analysis* is attached.

JLR

File: Admin WOFO 2000

Date WOFO Submitted: 6/12/2007  
Input by: SHGoals reflect statistical labor force  
availability for the following: 2000 CLFA  
Los Angeles County, CA

City of San Diego/Equal Opportunity Contracting I

**WORK FORCE ANALYSIS REPORT**

FOR

Company: AMCAL Multi-Housing, Inc.

**I. TOTAL WORK FORCE:**

	Black			Hispanic			Asian			American Indian			Filipino			White			Other		
	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F	CLFA Goals	M	F
Mgmt & Financial	7.3%	0	0	6.7%	0	0	14.6%	0	0	6.3%	0	0	14.9%	0	0	14.3%	0	0	14.3%	0	0
Professional	8.9%	0	0	16.5%	1	0	12.3%	0	0	0.3%	0	0	12.3%	0	0	5	1	0	0	0	0
A&E, Science, Computer	6.0%	0	0	16.5%	0	0	28.1%	0	0	6.2%	0	0	26.1%	0	0	0	0	0	0	0	0
Technical	12.2%	0	0	24.7%	0	0	20.8%	0	0	0.3%	0	0	20.8%	0	0	0	0	0	0	0	0
Sales	7.3%	0	0	33.7%	0	0	14.6%	0	0	6.3%	0	0	14.6%	0	0	0	0	0	0	0	0
Administrative Support	13.1%	0	0	36.0%	2	4	12.8%	1	1	0.3%	0	0	12.8%	0	2	8	15	1	1	1	1
Services	8.8%	0	0	54.5%	0	0	11.1%	0	0	6.2%	0	0	11.1%	0	0	0	0	0	0	0	0
Crafts	6.1%	1	0	49.1%	5	0	10.5%	0	0	0.3%	0	0	10.5%	0	0	10	0	0	1	0	0
Operative Workers	3.3%	0	0	73.3%	0	0	18.3%	0	0	6.1%	0	0	18.3%	0	0	0	0	0	0	0	0
Transportation	11.2%	0	0	61.1%	0	0	4.7%	0	0	0.4%	0	0	4.7%	0	0	0	0	0	0	0	0
Laborers	7.1%	0	0	68.8%	0	0	7.4%	0	0	6.3%	0	0	7.4%	0	0	0	0	0	0	0	0
<b>TOTAL</b>		<b>1</b>	<b>0</b>		<b>9</b>	<b>4</b>		<b>1</b>	<b>1</b>		<b>0</b>	<b>0</b>		<b>0</b>	<b>2</b>		<b>25</b>	<b>16</b>		<b>5</b>	<b>2</b>

**HOW TO READ TOTAL WORK FORCE SECTION:**

The information blocks in Section 1 (Total Work Force) identify the absolute number of the firm's employees. Each employee is listed in their respective ethnic/gender and employment category. The percentages listed under the heading of "CLFA Goals" are the County Labor Force Availability goals for each employment and ethnic/gender category.

Mgmt & Financial  
Professional  
A&E, Science, Computer  
Technical  
Sales  
Administrative Support  
Services  
Crafts  
Operative Workers  
Transportation  
Laborers

TOTAL EMPLOYEES			Female Goals
ALL	M	F	
7	6	1	53.9%
0	0	0	48.9%
33	10	23	69.6%
17	17	0	9.2%
0	0	0	16.0%
			11.6%

**HOW TO READ EMPLOYMENT ANALYSIS SECTION:**

The percentages listed in the goals column are calculated by multiplying the CLFA goals by the number of employees in that job category. The number in that column represents the percentage of each protected group that should be employed by the firm to meet the CLFA goal. A negative number will be shown in the discrepancy column for each underrepresented goal of at least 1.00 position.

**II. EMPLOYMENT ANALYSIS****TOTAL**

	Black			Hispanic			Asian			American Indian			Filipino			Female		
	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy	Goals	Actual	Discrepancy
Mgmt & Financial	0.66	0	N/A	1.66	1	N/A	1.34	0	N/A	0.63	0	N/A	0.63	0	N/A	3.66	1	(2.66)
Professional	0.62	0	N/A	1.16	1	N/A	0.66	0	N/A	0.02	0	N/A	0.66	0	N/A	3.77	1	(2.77)
A&E, Science, Computer	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Technical	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Sales	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Administrative Support	4.32	0	(4.32)	11.88	0	(5.88)	4.22	2	(2.22)	0.10	0	N/A	4.22	2	(2.22)	22.97	23	N/A
Services	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Crafts	1.04	1	N/A	8.35	5	(3.35)	1.79	0	(1.79)	0.05	0	N/A	1.79	0	(1.79)	1.56	0	(1.56)
Operative Workers	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Transportation	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00
Laborers	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00	0.00	0	0.00

Goals are set by job categories for each protected group. An underrepresentation is indicated by a negative number, but if the DISCREPANCY is less than -1.00 position, a N/A will be displayed to show there is no underrepresentation.

Version 03/28/2005

CLFA 2000

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO		1. CERTIFICATE NUMBER (for auditor's use only) <b>51</b> <b>7/24</b>					
TO: <b>000155</b> CITY ATTORNEY	2. FROM: (ORIGINATING DEPARTMENT) <b>CITY PLANNING AND COMMUNITY INVESTMENT/ REDEVELOPMENT DIVISION</b>	3. DATE July 4, 2007					
SUBJECT: Owner Participation Agreement, Barrio Logan Redevelopment Plan Amendment and Associated Actions for Los Vientos Family Apartments Project (Companion to Redevelopment Agency)							
5. Primary Contact: (Name, Phone & Mail Sta.) Robert Chavez, 236-6263, 56D	6. Secondary Contact (Name, Phone & Mail Sta.) Sam Johnson, 236-6265, MS 56D	7. Check BOX if REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>					
<b>8. COMPLETE FOR ACCOUNTING PURPOSES</b>							
FUND		9. ADDITIONAL INFORMATION/ESTIMATED COST:  <u>Fiscal Impact:</u> None					
DEPT.							
ORGANIZATION							
OBJECT ACCOUNT							
JOB ORDER							
C.I.P. NUMBER							
AMOUNT							
<b>10. ROUTING AND APPROVALS</b>							
ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVING SIGNATURE	DATE SIGNED
1	Assistant Director, CP&CI, Redevelopment	Jamie L. Wernick	6/22/07				
2	City Planning & Community Investment Director	William Anderson	6/22/07	8	Auditor	Rolando Charvel	6/26/07
3	Debt Management	Lakshmi Kommi	6/24/07	9	City Attorney	Carol Leone	6/27/07
4	Financial Management	Irina Kurnits	6/24/07	10	Originating Department	Robert Chavez	6/27/07
	EOC	Celia Griffin	6/25/07				
6	EAS	Allison Sherwood	6-26-07	11	Docket Coord.	Council Liaison	
7	Deputy Chief Operating Officer, Land Use & Economic Development	James T. Waring	6-27-07		COUNCIL PRESIDENT	<input type="checkbox"/> Spob <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION	
						<input type="checkbox"/> REFER TO _____ COUNCIL DATE: 7/10/07	
11. PREPARATION OF: <input checked="" type="checkbox"/> RESOLUTION(S) <input checked="" type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)							
1. State for the record that the Council has previously reviewed and considered information contained in the final Mitigated Negative Declaration (No. 103439) as it pertains to the project.							
2. Approve Findings of Benefit for the use of 20% Low and Moderate Income Housing Set-Aside Funds outside source project areas including City Heights, North Park, and North Bay.							
3. Approve the proposed Barrio Logan Redevelopment Plan Amendment.							
4. Recommend to the Redevelopment Agency to enter into an Owner Participation Agreement for the Los Vientos Family Apartments Project.							
DOCKET OF: July 10, 2007							
11a. STAFF RECOMMENDATIONS:  Approve the resolution(s).							
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)							
COUNCIL DISTRICT(S): 8							
Community Planning Area(s): Barrio Logan							
Environmental Impact: The City of San Diego as Lead Agency under CEQA has reviewed and considered a Mitigated Negative Declaration No. 103439, dated February 9, 2007, covering this activity. Adopted March 26, 2007 by Resolution No. R-302481.							
Housing Impact: The project create 89 new rental housing units, 88 of which will have rents restricted for 55 years at levels affordable to low and very low income households.							
Other Issues: None							
City Clerk Instruction: Please send copies of the resolution(s) to Jeannette Santos, MS 54D and Robert Chavez, MS 54D							

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: July 3, 2007

REPORT NO.: RTC-07-22  
RTC-07-098

000157.-

ATTENTION: Honorable Chair and Members of the Redevelopment Agency  
Council President and Members of the City Council  
Docket of July 10, 2007

ORIGINATING DEPARTMENT: City Planning and Community Investment

SUBJECT: Owner Participation Agreement, Barrio Logan Redevelopment Plan Amendment  
and Associated Actions for Los Vientos Family Apartments Project

COUNCIL DISTRICT(S): 8

STAFF CONTACT: Robert Chavez, 619-236-6263

REQUESTED ACTION:

- 1) That the Redevelopment Agency and City Council certify environmental review for the proposed actions; and
- 2) That the Agency approve the Basic Concept Drawings; and
- 3) That the City Council recommend Agency approval and the Agency approve authorizing execution of the Owner Participation Agreement with AMCAL Los Vientos Fund, LP for the Los Vientos Family Apartments Project; and
- 4) That the City Council and Agency approve Findings of Benefit for the use of 20% Low and Moderate Income Housing Set-Aside Funds outside source project areas including City Heights, North Park, and North Bay; and
- 5) That the Redevelopment Agency and City Council approve the proposed Barrio Logan Redevelopment Plan Amendment; and
- 6) That the Agency authorize the expenditure of funds for the Los Vientos Family Apartments Project in an amount not to exceed \$8,298,000 from the Agency's 20% Low and Moderate Income Housing Set-Aside Funds Line of Credit (LOC) as a Redevelopment Agency residual receipts loan contribution to the project, specifically from the following direct sources: 1) \$1,298,000 from City Heights LOC; 2) \$3,500,000 from North Park LOC; and 3) \$3,500,000 from North Bay LOC.

STAFF RECOMMENDATION:

That the City Council and Redevelopment Agency approve the requested actions.

EXECUTIVE SUMMARY:

An Owner Participation Agreement is proposed to authorize and obligate the Redevelopment Agency to assist the Los Vientos Family Apartments Project by providing financial assistance with a residual receipts loan in an amount not to exceed \$8,298,000. The developer is AMCAL Multi-Housing, Inc., dba AMCAL Los Vientos Fund, L.P. (the Developer). The Developer has proposed the development of a new 89-unit rental housing project located at 1629 and 1668 National Avenue, within the Barrio Logan Redevelopment Project Area (the Project).

The Project is proposed to be developed on two separate parcels equaling 1.04 acres located at 1629 and 1668 National Avenue (the Project Site). The surrounding development includes light industrial,

commercial, and residential buildings. The Project Site is predominantly vacant requiring the demolition of one small, dilapidated residential building. Furthermore, the Developer owns the Project Site and no other project acquisition is necessary for project implementation.

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The Project is proposed to include 50 two-bedroom units, 35 three-bedroom units, and 4 four-bedroom units, all but one with restricted rents for 55 years to levels affordable to households earning up to 30%, 40%, 50% and 60% of Area Median Income. The Project's design consists of two U-shaped, 4-story buildings with subterranean parking. The Gross Building Area (GBA) is approximately 85,920 sqft., with a total of 163 parking spaces, or approximately 1.8 spaces per unit. Amenities will include a community room with offices, a kitchen, computer room, tot lots/play areas, BBQ, and planters. Regarding environmental impacts, a Mitigated Negative Declaration was approved and certified by the Council for the Project on March 26, 2007. The Project Site is fully entitled.

#### FISCAL CONSIDERATIONS:

The total project cost is \$32,545,000 and is proposed to be funded with Affordable Housing 9% tax credits, private financing, deferred developer fee, Federal Home Loan Bank Affordable Housing Program funds, and Agency 20% Low and Moderate Income Housing Set-Aside Funds. The Developer plans to apply to the State for tax credits on July 12, 2007. Project savings and/or additional revenues will be used to reduce the Agency financing contribution.

Keyser Marston Associates has been used to verify the validity of the project pro forma. This work supports the project cost estimates and verifies that the project financing terms are substantially consistent with the financing guidelines provided for the Agency's Affordable Housing Collaborative Program.

#### PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On July 25, 2006, the Agency approved the pooling of the Agency's 20% Low and Moderate Income Housing Set-Aside Funds for the purpose of funding projects such as the Los Vientos Project. On March 26, 2007, the City Council approved a CPA/Rezone and entitlements.

#### OTHER RECOMMENDATIONS:

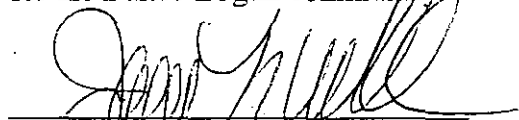
On May 24, 2007, the Agency's Affordable Housing Collaborative Executive Loan Committee (ELC) voted 4-0 in favor of the Project's concept and proposed financing structure.

#### COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

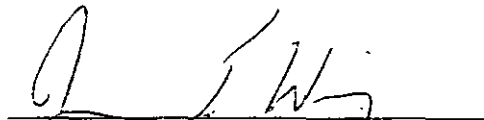
On October 19, 2005, January 29, 2007, and May 30, 2007, the Project was presented to the Barrio Logan PAC, at which times PAC voted in support of the Project's concept and proposed OPA and Redevelopment Plan Amendment.

#### KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

The Project is expected to provide significant community enhancement and valuable affordable housing for the Barrio Logan community.



Janice Weinrick  
Deputy Executive Director,  
Redevelopment Agency/  
Assistant Director  
City Planning and Community Investment



James T. Waring  
Assistant Executive Director,  
Redevelopment Agency/  
Deputy Chief Operating Officer for  
Land Use and Economic Development

000159

(O-2007-161)  
(REV.COPY)

A

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING AND ADOPTING THE SECOND  
AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE  
BARRIO LOGAN REDEVELOPMENT PROJECT.

WHEREAS, the Council of the City of San Diego [Council] on May 20, 1991, by

Ordinance No. O-17644 (New Series) approved and adopted the Redevelopment Plan

[Redevelopment Plan] for the Barrio Logan Redevelopment Project [Project]; and

WHEREAS, the Council of the City of San Diego on July 28, 2003, by Ordinance No.  
O-19202 (New Series) approved and adopted the First Amendment to the Redevelopment Plan  
for the Barrio Logan Redevelopment Project; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] has prepared  
and submitted to the Council for review and approval, a proposed Second Amendment to the  
Redevelopment Plan for the Project [the Second Amendment], a copy of which is on file in the  
office of the City Clerk as Document No. \_\_\_\_\_, accompanied by a report to  
Council on the proposed Second Amendment to the Redevelopment Plan; and

WHEREAS, the Planning Commission of the City of San Diego has reviewed and  
considered the proposed land use designation changes to the Redevelopment Plan in its  
consideration and approval on March 1, 2007 of the amendment to the Barrio Logan/Harbor 101  
Community Plan, and found the Community Plan Amendment to be in conformity with the  
City's General Plan; and

WHEREAS, the Council has certified a Mitigated Negative Declaration pertaining to the  
land use designation changes pursuant to the procedures for implementation of the California

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Environmental Quality Act, the California Environmental Quality Act of 1970, and the adopted State and local regulations and guidelines; and

WHEREAS, after proper notice, a joint public hearing was held by the Council and the Agency on the proposed Second Amendment; and

WHEREAS, at the joint public hearing, this Council heard and passed upon all oral and written objections by overruling such objections; and

---

WHEREAS, all actions required by law have been taken by all appropriate public agencies; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the land use designation map exhibit to the Redevelopment Plan is amended to reflect high density residential use on two properties, commonly known as 1629 National Avenue and 1668 National Avenue in Barrio Logan, previously designated as light industrial/commercial use.

Section 2. The purposes and intent of the Council with respect to the Project area were and are to:

- A. To eliminate and prevent the spread of blight and deterioration, and to conserve, rehabilitate and redevelop the Project Area in accordance with the Plan and consistent with the Community Plan;
- B. To reconstitute Barrio Logan as a viable, mixed-use community and encourage compatible land use patterns;
- C. To encourage new and continuing investment of the private sector in the redevelopment of Barrio Logan

D. To develop a pedestrian and vehicular transportation network which minimizes and reduces existing circulation conflicts, coordinates with land uses and densities, and provides additional accessibility for transit-dependent population;

E. To resolve the problems associated with on- and off-street parking, truck and other vehicle traffic and to maintain an acceptable level of service on the arterials within the Project Area;

F. To encourage the development of a commercial environment which positively relates to adjacent land uses, and to upgrade and stabilize existing commercial uses;

G. To promote the development of local job opportunities, the preservation of the area's existing employment base and provide vocational training for residents of the community;

H. To create a balanced mix of new housing stock, including low- and moderate-income housing, and rehabilitate as many existing dwelling units as possible;

I. To provide a basis for the location and programming of public service facilities including, but not limited to: libraries, day-care, youth and family centers, cultural centers, parks and recreation facilities and education facilities, and to coordinate the phasing of public facilities with private development;

J. To encourage the preservation and the enhancement of the varied and distinctive character of the community, and to promote the development of the community's cultural and ethnic qualities;

K. To provide an environment that ensures the health, safety and well-being of the residents of the Barrio Logan community.

Section 3. That the Council finds and determines that:



A. The Project area was and is a blighted area, the redevelopment of which was and is necessary to effectuate the public purposes declared in the California Community Redevelopment Law;

B. The Redevelopment Plan, as amended, will redevelop the Project Area in conformity with the California Community Redevelopment Law in the interest of the public peace, health, safety, and welfare;

C. The adoption and carrying out of the Redevelopment Plan, as amended, is economically sound and feasible;

D. The Redevelopment Plan, as amended, conforms to the Progress Guide and General Plan of the City of San Diego, including, but not limited to, the City's Housing Element, which substantially complies with the requirements of Article 10.6 (Commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code;

E. The carrying out of the Redevelopment Plan, as amended, will promote the public peace, health, safety and welfare of the City of San Diego and will effectuate the purposes and policies of the California Community Redevelopment Law;

F. The condemnation of real property as provided for in the Redevelopment Plan, as amended, is necessary to the execution of the Redevelopment Plan, as amended, and adequate provisions have been made for payment for property to be acquired as provided by law;

G. In the event any families and persons residing within the Project area are displaced by redevelopment activities:

(1) The Agency has a feasible method and plan for the relocation of families and persons to be temporarily or permanently displaced from housing facilities in the Project area;

(2) There will be provided in the entire Project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their place of employment;

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(3) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the California Community Redevelopment Law, and dwelling units housing persons and families of low- or moderate-income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33334.5, 33413, and 33413.5 of the California Community Redevelopment Law.

H. Inclusion within the Project area of any lands, buildings, or improvements which are not detrimental to the public health, safety, or welfare is necessary for the effective redevelopment of the Project area; any such area included is necessary for effective redevelopment and is not included for the purpose of obtaining the allocation of tax increment revenues from such area pursuant to Section 33670 of the Community Redevelopment Law without other substantial justification for its inclusion;

I. The elimination of blight and the redevelopment of the Project area can not be reasonably expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency;

J. The Project Area is predominantly urbanized, as defined by subdivision (b) of Section 33320.1 of California Community Redevelopment Law;

K. The time limitations and the limitation on the number of dollars to be allocated to the Agency that are contained in the Plan are reasonably related to the proposed projects to be implemented in the Project Area and to the ability of the Agency to eliminate blight within the Project Area.

Section 4. That all written and oral objections to the Second Amendment to the Redevelopment Plan are overruled.

Section 5. That the Second Amendment to the Redevelopment Plan for the Project having been reviewed and considered, is adopted and approved, and the City Clerk is directed to file a copy of the Second Amendment to the Redevelopment Plan with the minutes of this meeting. The Second Amendment to the Redevelopment Plan, a copy of which is on file in the office of the City Clerk as Document No. \_\_\_\_\_, is incorporated and made a part of this ordinance by this reference.

Section 6. That Ordinance No. O-17644 (New Series), Ordinance No. O-19202 (New Series) and the Redevelopment Plan adopted pursuant to those ordinances as amended by Ordinance No. O-\_\_\_\_\_ (New Series) adopting the Second Amendment to Redevelopment Plan is designated as the official Redevelopment Plan for the Project area.

Section 7. That Ordinance No. O-17644 (New Series) and Ordinance No. O-19202 shall remain in full force and effect except to the extent they are changed by this amending ordinance.

Section 8. That the City Clerk is directed to send a certified copy of this ordinance to the Agency and the Agency is vested with the responsibility for carrying out the Redevelopment Plan, as amended, subject to the provisions of the Redevelopment Plan, as amended.

Section 9. That the City Clerk is directed to record with the County Recorder of San Diego County, a description of the land within the Project area and a statement that proceedings

for the redevelopment of the Project area have been instituted under the California Community Redevelopment Law. The Agency is directed to effectuate recordation in compliance with the provisions of Section 27295 of the Government Code to the extent applicable.

Section 10. That the City Clerk is directed to transmit a copy of the description and statement recorded by the City pursuant to Section 9 of this ordinance, a copy of this ordinance, and a map or plat showing the boundaries of the Project area to the auditor and tax assessor of San Diego County, to the governing body of each of the taxing agencies which levies taxes upon any property in the Project area, and to the State Board of Equalization.

Section 11 . That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 12. That this ordinance shall take effect and be in force on the ninetieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone  
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
06/25/07  
07/11/07 REV.COPY  
Or.Dept:R.A.  
O-2007-161  
MMS#3844

(O-2007-161)  
(REV.COPY)

ELIZABETH S. MALAND  
City Clerk

Approved: \_\_\_\_\_  
(date)

JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

JERRY SANDERS, Mayor

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO MAKING CERTAIN FINDINGS RELATING TO THE USE OF HOUSING SET-ASIDE FUNDS OUTSIDE SOURCE PROJECT AREAS INCLUDING CITY HEIGHTS, NORTH PARK, AND NORTH BAY FOR THE DEVELOPMENT OF LOS VIENTOS FAMILY APARTMENTS IN THE BARRIO LOGAN REDEVELOPMENT PROJECT AREA.

WHEREAS, in accordance with the California Community Redevelopment Law, codified as California Health and Safety Code section 33000 et seq.[Law], the Redevelopment Agency of the City of San Diego [Agency] has set aside twenty percent (20%) of all tax increment funds [Set-Aside Funds] generated by Redevelopment Projects for the purpose of increasing and improving the supply of low- and moderate-income housing available at an affordable housing cost; and

WHEREAS, the Law provides that Set-Aside Funds shall be used to provide housing for specific income groups, and that findings of benefit to the redevelopment project from which the funds are derived [Findings of Benefit] must be made by the Agency and City Council prior to the allocation of Set-Aside Funds outside of the redevelopment project area; and

WHEREAS, the City Council approves an Owner Participation Agreement relating to the Los Vientos Family Apartments Project [Project] in the Barrio Logan Redevelopment Project Area and in connection therewith the Agency will allocate \$8,298,000 of housing set-aside funds from the City Heights, North Park, and North Bay Redevelopment Project Areas for the Project; and

WHEREAS, the City Council finds that the expenditure of City Heights, North Park, and North Bay Redevelopment Project low- and moderate-income housing set-side funds outside of


**000168**

the City Heights, North Park, and North Bay Project Areas will be of benefit to the City Heights, North Park and North Bay Redevelopment Project Areas: NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of San Diego makes the Findings of Benefit to the City Heights, North Park, and North Bay Redevelopment Project Areas as more fully set forth in Attachment A hereto, which is incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the 20% Set Aside Funds shall be utilized for implementation of the proposed development of the Los Vientos Family Apartments Project in the Barrio Logan Redevelopment Project Area.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
06/20/07  
Or.Dept:R.A.  
Aud.Cert.:  
R-2007-1272  
Companion: RA-2007-121  
MMS#3844

000169

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor



## Attachment A-1

**Findings of Benefit Summary – City Heights Redevelopment Project Area****Los Vientos Family Apartments Project**

It is proposed that funds from the City Heights Low and Moderate Income Housing Fund (Housing Funds) be used outside of the City Heights Redevelopment Project Area (Project Area) to assist in the development of an 89 unit affordable housing project called the Los Vientos Family Apartments Project (the Project). The Project site is located at 1629 and 1668 National Avenue, within the Barrio Logan Redevelopment Project Area. The Project would provide two- and three-bedroom units at rents affordable to families earning between 30% and 60% of the Area Median Income. The use of the Housing Funds for this Project will be of benefit to the Project Area, in that:

- The use of Housing Funds for the Project will enable the Redevelopment Agency to increase and improve the supply of very low and low income housing within the City of San Diego.
- The use of the Housing Funds for the Project will assist in the development of 88 affordable units, with 9 of the units to be made affordable for tenants earning no more than 30% of the Area Median Income, 9 of the units to be made affordable for tenants earning no more than 40% of the Area Median Income, 44 of the units to be made affordable for tenants earning no more than 50% of Area Median Income and 26 of the units to be made affordable for tenants earning no more than 60% of the Area Median Income.
- Credit for the production of affordable units is given annually to agencies by the California Housing and Community Development Department, in accordance with State Law. If tax increment funds are used for the development of affordable units outside of the source project area, a maximum of one-half credit for every unit produced may be awarded to the source project area. The benefit to the Project Area is the potential to have a maximum credit of 44 units for funding affordable housing outside of the Project Area.
- The Project is located in close proximity (within approximately 4 miles) to the City Heights Project Area. The Project is located within two blocks of public transit, both bus and trolley, which will provide means for residents of the Project to commute to jobs in the Project Area.

## Attachment A-2

**Findings of Benefit Summary – North Bay Redevelopment Project Area****Los Vientos Family Apartments Project**

It is proposed that funds from the North Bay Low and Moderate Income Housing Fund (Housing Funds) be used outside of the North Bay Redevelopment Project Area (Project Area) to assist in the development of an 89 unit affordable housing project called the Los Vientos Family Apartments Project (the Project). The Project site is located at 1629 and 1668 National Avenue, within the Barrio Logan Redevelopment Project Area. The Project would provide two- and three-bedroom units at rents affordable to families earning between 30% and 60% of the Area Median Income. The use of the Housing Funds for this Project will be of benefit to the Project Area, in that:

- The use of Housing Funds for the Project will enable the Redevelopment Agency to increase and improve the supply of very low and low income housing within the City of San Diego.
- The use of the Housing Funds for the Project will assist in the development of 88 affordable units, with 9 of the units to be made affordable for tenants earning no more than 30% of the Area Median Income, 9 of the units to be made affordable for tenants earning no more than 40% of the Area Median Income, 44 of the units to be made affordable for tenants earning no more than 50% of Area Median Income and 26 of the units to be made affordable for tenants earning no more than 60% of the Area Median Income.
- Credit for the production of affordable units is given annually to agencies by the California Housing and Community Development Department, in accordance with State Law. If tax increment funds are used for the development of affordable units outside of the source project area, a maximum of one-half credit for every unit produced may be awarded to the source project area. The benefit to the Project Area is the potential to have a maximum credit of 44 units for funding affordable housing outside of the Project Area.
- The Project is located in close proximity (within approximately 5 miles) of the Project Area. The Project is located within two blocks of public transit, both bus and trolley, which will provide means for residents of the Project to commute to jobs in the Project Area.

## Attachment A-3

**Findings of Benefit Summary – North Park Redevelopment Project Area****Los Vientos Family Apartments Project**

It is proposed that funds from the North Park Low and Moderate Income Housing Fund (Housing Funds) be used outside of the North Park Redevelopment Project Area (Project Area) to assist in the development of an 89 unit affordable housing project called the Los Vientos Family Apartments Project (the Project). The Project site is located at 1629 and 1668 National Avenue, within the Barrio Logan Redevelopment Project Area. The Project would provide two- and three-bedroom units at rents affordable to families earning between 30% and 60% of the Area Median Income. The use of the Housing Funds for this Project will be of benefit to the Project Area, in that:

- The use of Housing Funds for the Project will enable the Redevelopment Agency to increase and improve the supply of very low and low income housing within the City of San Diego.
- The use of the Housing Funds for the Project will assist in the development of 88 affordable units, with 9 of the units to be made affordable for tenants earning no more than 30% of the Area Median Income, 9 of the units to be made affordable for tenants earning no more than 40% of the Area Median Income, 44 of the units to be made affordable for tenants earning no more than 50% of Area Median Income and 26 of the units to be made affordable for tenants earning no more than 60% of the Area Median Income.
- Credit for the production of affordable units is given annually to agencies by the California Housing and Community Development Department, in accordance with State Law. If tax increment funds are used for the development of affordable units outside of the source project area, a maximum of one-half credit for every unit produced may be awarded to the source project area. The benefit to the Project Area is the potential to have a maximum credit of 44 units for funding affordable housing outside of the Project Area.
- The Project is located in close proximity (within approximately 4 miles) of the Project Area. The Project is located within two blocks of public transit, both bus and trolley, which will provide means for residents of the Project to commute to jobs in the Project Area.

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RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO CERTIFYING ENVIRONMENTAL REVIEW FOR LOS  
VIENTOS FAMILY HOUSING PROJECT LOCATED IN THE  
BARRIO LOGAN REDEVELOPMENT PROJECT AREA.

WHEREAS, the Council of the City of San Diego is considering a proposed Owner Participation Agreement [OPA] for the development of the Los Vientos Family Apartments Project located in the Barrio Logan Redevelopment Project Area; and

WHEREAS, a Mitigated Negative Declaration [MND] No. 103439 has been prepared for the proposed Los Vientos Family Housing Project [Project]; and

WHEREAS, a Mitigation, Monitoring and Reporting Program has been prepared for the proposed Project; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego as follows:

1. That the City Council certifies that the information contained in MND No. 103439 has been completed in compliance with the California Environmental Quality Act [CEQA] and State CEQA Guidelines and that said report reflects the independent judgment of the City of San Diego as Lead Agency.

2. That the City Council hereby states for the record that the Mitigated Negative Declaration has been reviewed and considered prior to approving the Project and Owner Participation Agreement.

3. That the Mitigation, Monitoring and Reporting Program is hereby adopted.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone  
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
06/20/07  
Or.Dept:R.A.  
R-2007-1263  
Companion: RA-2007-122  
MMS#3844

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

000177

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO APPROVING THE REDEVELOPMENT AGENCY  
ENTERING INTO AN OWNER PARTICIPATION  
AGREEMENT FOR THE LOS VIENTOS FAMILY  
APARTMENTS PROJECT IN THE BARRIO LOGAN  
REDEVELOPMENT PROJECT AREA

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged  
in activities necessary to carry out and implement the Redevelopment Plan for the Barrio Logan  
Redevelopment Project Area [Project Area]; and

WHEREAS, in order to carry out and implement the Redevelopment Plan, the Agency  
has negotiated and proposes to enter into an Owner Participation Agreement [Agreement] with  
AMCAL Los Vientos Fund, L.P. [Developer] pursuant to which the Agency will provide  
financial assistance to the Developer for the construction of a low-income residential project  
known as the Los Vientos Family Apartments [Project]; and

WHEREAS, Developer has submitted to the Agency and the Council of the City of San  
Diego copies of the proposed Agreement in a form desired by Developer; and

WHEREAS, the Council of the City of San Diego has duly considered all terms and  
conditions in the proposed Agreement and determines that the Project is in the best interests of  
the City and the health, safety, morals and welfare of its residents, and in accord with the public  
purposes and provisions of applicable state and local law and requirements; NOW,  
THEREFORE,

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BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Council has received and heard all oral and written objections to the proposed Owner Participation Agreement, and to other matters pertaining to the Project, and that all such oral and written objections are overruled.

2. The Owner Participation Agreement which establishes the terms and conditions for the implementation of the Project is approved, contingent upon the Office of the Auditor & Comptroller first certifying the availability of funds. \_\_\_\_\_

3. A copy of the Owner Participation Agreement, when executed by the Redevelopment Agency, shall be placed on file in the office of the City Clerk as Document No.

D-\_\_\_\_\_.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Carol A. Leone  
Carol A. Leone  
Deputy City Attorney

CAL:cfq  
06/20/07  
Or.Dept:R.A.  
R-2007-1264  
Companion: RA-2007-123  
MMS#3844

000179

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
\_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
\_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor